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C O N F I D E N T I A L SECTION 01 OF 02 CAIRO 001366

SIPDIS

NEA/ELA

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SUBJECT: EGYPT: PROPOSED EXPANSION OF JUDICIAL BODY BRINGS

STRONG CRITICISM FROM JUDGES

REF: A. 2008 CAIRO 1339 B. 2007 CAIRO 3526 Classified By: Economic-Political Minister Counselor Donald A. Blome for reasons 1.4 (b) and (d)  
§1. Key Points: -- (C) The proposed expansion by presidential decree of the constitutionally-mandated Supreme Judicial Council (SJC), the judiciary.  
§2. (U) On July 1, the Supreme Judicial Council (SJC) announced that it had endorsed a draft presidential decree to expand its members from 7 to 11. According to Article 173 of the Constitution, the SJC is presided over by the President and "governs judicial affairs" (For example: coordination).  
§3.(U) Public criticism was immediate and judges clubs throughout Egypt held emergency meetings to respond to the announced draft. Critics contend that the expansion would compromise the independence of the judiciary.  
§4.(C) The independent daily Al-Masry-Al-Yom reported that "informed sources" said that President Mubarak "expressed his annoyance" with the judicial system.  
§5.(C) A similar furor erupted over a 2007 draft (ref B) of a later amended Judicial Authorities Law (ref A) approved in 2008, which reformed the judiciary.  
§6.(SBU) The expansion of the SJC is not the only change in the judiciary in the last several months. Recent mandatory retirements of senior judges.  
§7.(C) Comment: In a recent meeting with the Ambassador, Minister of Justice Marei brushed off the controversy surrounding the proposed expansion.